

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

JAMES WATKINS,)	
)	
Plaintiff,)	
)	
v.)	No. 20-00180-CV-W-DPR-SSA
)	
KILOLO KIJAKAZI, ¹)	
)	
Defendant.)	

ORDER

Before the Court is Plaintiff's Motion for 42 USC § 406(b) Attorney Fees. (Doc. 26.) Plaintiff's attorney, Roger M. Driskill, requests an award in the amount of \$25,075.75 as an attorney fee for his representation of Plaintiff in this matter. Defendant has no objection to an award under § 406(b). (Doc. 28.) Upon review, the fee requested is consistent with the Fee Contract (doc. 26-1) and does not exceed the statutory maximum of 25% of the past-due benefits awarded to Plaintiff. The Court also finds that the fee requested is reasonable.

Therefore, the Motion is **GRANTED**. Pursuant to 42 U.S.C. § 406(b), Roger M. Driskill is awarded a fee for his services in the amount of \$25,075.75 to be paid by Defendant. Furthermore, Mr. Driskill shall refund to Plaintiff the amount of \$7,000.00, which was paid previously as an attorney fee under the Equal Access to Justice Act.

IT IS SO ORDERED.

/s/ David P. Rush
DAVID P. RUSH
UNITED STATES MAGISTRATE JUDGE

DATE: November 22, 2021

¹ Kilolo Kijakazi became Acting Commissioner of Social Security on July 9, 2021. Pursuant to Fed. R. Civ. P. 25(d)(1), Kilolo Kijakazi is substituted for Andrew M. Saul as the defendant in this suit. By reason of the last sentence of 42 U.S.C. § 405(g), no further action need be taken.